

## **REMARKS/ARGUMENTS**

In view of the claim amendment above and the remarks and arguments presented below, Applicant believes the pending application is in condition for allowance.

### **I. Status of the Claims**

Claims 1-6 and 8-20 were previously pending.

Claims 4 and 6 are amended in this Amendment as follows.

Claim 4 is amended to incorporate the elements recited in claim 5, which depends from claim 4 and is now canceled. No new matter is introduced by this amendment.

Claim 6 is amended to correct a grammatical error (“[[having]]has”) and to recite that the conductive thermoplastic-resin film B “compris[es] an amorphous propylene/butene copolymer or an amorphous propylene/ethylene/butene copolymer in an amount in the range of 30-65% by mass.” Support for this element can be found in the clean copy of a substitute Specification filed on September 21, 2006, for example, on page 21, line 12, through page 22, line 5. No new matter is introduced by the amendments.

Claim 7 was previously canceled in this application without prejudice to or disclaimer of the subject matter contained therein.

Claims 1-3, 5, 8-14, 17, and 18 are canceled in this Amendment without prejudice to or disclaimer of the subject matter contained therein.

Upon entry of this Amendment, claims 4, 6, 15, 16, 19, and 20 are pending and at issue.

### **II. Objection to the Specification**

The disclosure is objected to because in the description of Figure 2 found on page 11, lines 1-3, of the clean copy of a substitute Specification filed on September 21, 2006, the paper is referred to as “wound-free,” which should be “wood-free.” Applicant appreciatively thanks Examiner Robinson for pointing out this typographical error.

Applicant has made the appropriate correction ("~~wound-free~~wood-free") in this Amendment. Accordingly, Applicant respectfully requests that the objection to the Specification be withdrawn.

**III. Claim Rejections under 35 U.S.C. § 112, ¶ 2**

Claims 2, 3, 5, 8, 11-14, 17, and 18 are rejected under 35 U.S.C. § 112, ¶ 2, as indefinite. The Examiner states that these claims fail to particularly point out and distinctly claim the subject matter which Applicant regards at the invention.

Applicant has canceled claims 2, 3, 5, 8, 11-14, 17, and 18 in this Amendment, thereby rendering the rejections of these claims moot.

**IV. Claim Rejection under 35 U.S.C. § 102(b)**

Claim 1 is rejected under 35 U.S.C. § 102(b) as anticipated by JP 2002-124265 by Sakamoto et al. ("Sakamoto"). The Examiner states that Sakamoto discloses all the elements recited in claim 1.

Applicant has canceled claim 1 in this Amendment, thereby rendering the rejection of this claim moot.

**V. Claim Rejection under 35 U.S.C. § 102(b)/§ 103(a)**

Claim 2 is rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as unpatentable over Sakamoto. The Examiner states that Sakamoto discloses all the elements recited in claim 2 or, in the alternative, renders it obvious.

Applicant has canceled claim 2 in this Amendment, thereby rendering the rejection of this claim moot.

**VI-a. Claim Rejection under 35 U.S.C. § 103(a)**

Claims 4-6 are rejected under 35 U.S.C. § 103(a) as unpatentable over Sakamoto in view of US 2004/0041536 by Matsubara et al. ("Matsubara"). The Examiner contends that Sakamoto in combination with Matsubara renders these claims obvious. Applicant respectfully traverses the rejection.

Claim 4, as amended, recites: "the conductive thermoplastic-resin film further comprises an amorphous propylene/butene copolymer or an amorphous propylene/ethylene/butene copolymer in an amount in the range of 30-65% by mass." For this claim element, the present Specification provides the following description.

In case where the content of the amorphous propylene/butene copolymer or amorphous propylene/ethylene/butene copolymer in the conductive thermoplastic-resin film is lower than 30% by weight, the conductive thermoplastic-resin film is less apt to have tackiness. In this case, an electric double-layer capacitor or proton-ion polymer battery is apt to suffer positional shifting at the current collector contact surfaces between the cells, and this is apt to pose problems, for example, that the resistance value is unstable.<sup>1</sup>

In contrast, Matsubara provides the following disclosure for the amount of its binder, which contains an amorphous copolymer.

The amount of the binder is 0.05 to 20.0, preferably 0.1 to 10.0 parts by weight based on 100 parts by weight of the negative electrode. . . . If the amount of the binder is more than 20 parts by weight, the impedance increases, deteriorating battery performance and flexibility.<sup>2</sup>

Thus, Matsubara teaches away from having more than 20% by mass of the amorphous copolymer, while claim 4 recites a range of 30-65% by mass.

Further, Matsubara is directed to the use of an amorphous copolymer as a binding material,<sup>3</sup> which is dispersed in water with the aid of a dispersant to form an aqueous dispersed solution.<sup>4</sup> In Matsubara, this is then combined with a water-soluble polymer to attain increased viscosity.<sup>5</sup>

At least for these reasons, one of ordinary skill in the art would not have been motivated to combine Sakamoto and Matsubara to arrive at the present invention. Accordingly, Applicant respectfully submits that Sakamoto in view of Matsubara does not render claim 4 obvious. Applicant respectfully requests that the rejection of claim 4 be withdrawn.

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<sup>1</sup> The clean copy of a substitute Specification filed on September 21, 2006, page 21, line 17, through page 22, line 1.

<sup>2</sup> Matsubara, paragraph [0038].

<sup>3</sup> Matsubara, paragraph [0033].

<sup>4</sup> Matsubara, paragraph [0035].

<sup>5</sup> Matsubara, paragraph [0036].

Claim 6, as amended, recites that one of the conductive thermoplastic-resin films "compris[es] an amorphous propylene/butene copolymer or an amorphous propylene/ethylene/butene copolymer in an amount in the range of 30-65% by mass." Therefore, at least for the same reasons as stated above in relation to claim 4, Sakamoto in combination with Matsubara does not render claim 6 obvious.

In addition, neither Sakamoto nor Matsubara teaches or suggests lamination of two conductive thermoplastic-resin films in which each film has the specific features recited in claim 6. For this additional reason, Applicant respectfully submits that Sakamoto in view of Matsubara does not render claim 6 obvious.

Accordingly, Applicant respectfully requests that the rejection of claim 6 be withdrawn.

Applicant has canceled claim 5 in this Amendment, thereby rendering the rejection of this claim moot.

**VI-b. Claim Rejection under 35 U.S.C. § 103(a)**

Claims 9 and 11 are rejected under 35 U.S.C. § 103(a) as unpatentable over US 6,671,165 to Nakazawa et al. ("Nakazawa") in view of Sakamoto. The Examiner states that Nakazawa in combination with Sakamoto renders the claims obvious.

Applicant has canceled claims 9 and 11 in this Amendment, thereby rendering the rejection of these claims moot.

**VI-c. Claim Rejection under 35 U.S.C. § 103(a)**

Claims 10 and 12 are rejected under 35 U.S.C. § 103(a) as unpatentable over US 2002/0073534 by Kurosaki et al. ("Kurosaki") in view of Sakamoto. The Examiner states that Kurosaki in combination with Sakamoto renders the claims obvious.

Applicant has canceled claims 10 and 12 in this Amendment, thereby rendering the rejection of these claims moot.

**VI-d. Claim Rejection under 35 U.S.C. § 103(a)**

Claims 15, 17, and 19 are rejected under 35 U.S.C. § 103(a) as unpatentable over Nakazawa in view of Sakamoto and Matsubara. The Examiner contends that Nakazawa in combination with Sakamoto and Matsubara renders the claims obvious. Applicant respectfully traverses the rejection.

Claims 15 and 19 depend, respectively, from claims 4 and 6.

As discussed above in connection with claims 4 and 6, Sakamoto and Matsubara, either alone or in combination, do not teach or suggest the conductive thermoplastic-resin film recited in claim 4 or the conductive thermoplastic-resin laminate film recited in claim 6.

Further, as the Examiner states, "Nakazawa does not teach the collector as being formed from the film of claims 4, 5 or 6."<sup>6</sup>

At least for these reasons, Applicant respectfully submits that Nakazawa in view of Sakamoto and Matsubara does not render claims 15 and 19 obvious. Thus, Applicant respectfully requests that the rejection of claims 15 and 19 be withdrawn.

Applicant has canceled claim 17 in this Amendment, thereby rendering the rejection of this claim moot.

**VI-e. Claim Rejection under 35 U.S.C. § 103(a)**

Claims 16, 18, and 20 are rejected under 35 U.S.C. § 103(a) as unpatentable over Kurosaki in view of Sakamoto and Matsubara. The Examiner contends that Kurosaki in combination with Sakamoto and Matsubara renders the claims obvious. Applicant respectfully traverses the rejection.

Claims 16 and 20 depend, respectively, from claims 4 and 6.

As discussed above in connection with claims 4 and 6, Sakamoto and Matsubara, either alone or in combination, do not teach or suggest the conductive thermoplastic-resin film recited in claim 4 or the conductive thermoplastic-resin laminate film recited in claim 6.

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<sup>6</sup> Non-Final Office Action mailed May 11, 2009, page 8, lines 9-10.

Further, as the Examiner states, "Kurosaki does not teach the collector as being formed from the film of claims 4, 5 or 6."<sup>7</sup>

At least for these reasons, Applicant respectfully submits that Kurosaki in view of Sakamoto and Matsubara does not render claims 16 and 20 obvious. Thus, Applicant respectfully requests that the rejection of claims 16 and 20 be withdrawn.

Applicant has canceled claim 18 in this Amendment, thereby rendering the rejection of this claim moot.

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<sup>7</sup> Non-Final Office Action mailed May 11, 2009, page 9, lines 7-8.

**CONCLUSION**

In view of the foregoing, it is believed that claims 4, 6, 15, 16, 19, and 20 are in immediate condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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